

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION (Lee)**

<b>IN RE:</b>	: <b>CASE NO: 19-81131-BPC</b>
	: <b>CHAPTER: 13</b>
	:
<b>LOUISE MCCULLOUGH</b>	:
<b>Debtor</b>	:
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<b>WILMINGTON SAVINGS FUND</b>	:
<b>SOCIETY, FSB, AS TRUSTEE OF</b>	:
<b>STANWICH MORTGAGE LOAN TRUST</b>	:
<b>A,</b>	:
<b>Movant,</b>	:
	: <b>CONTESTED MATTER</b>
<b>vs.</b>	:
	:
<b>LOUISE MCCULLOUGH</b>	:
<b>SABRINA L. MCKINNEY, Trustee</b>	:
<b>Respondents.</b>	:

**OBJECTION TO CONFIRMATION**

COMES NOW, WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST A, its successors or assigns, (hereinafter referred to as "Movant") and shows the Court that for reasons set out below, Movant objects to the confirmation of the Debtor's Plan;

1.

Movant asserts that it holds the first mortgage on Debtor's property locate at 1303 Elm St, Opelika, AL 36801 (the "Property"). The loan matured on July 1, 2019 which was prior to the filing of the instant case.

Movant filed a Proof of Claim listing a total debt payoff of approximately \$21,047.00 and an interest rate of 11.2980%. The Debtor's Plan proposes to pay Movant's claim in full over the life of the plan at an interest rate of 4.5%. The plan fails to compensate Movant for the time-value of its money by including a prime-plus interest rate on its monthly stream of payments consistent with the principals of 11 U.S.C. § 1325(a)(5)(B)(ii) and *Till v. SCS Credit Corp.*, 541 U.S. 465 (U.S. 2004).

WHEREFORE, WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST A, its successors or assigns, prays that this Court inquire as to the matters raised herein and deny confirmation of the Debtor's Plan, or enter such orders and require such further inquiry as may appear appropriate to the Court.

Dated: 9/12/19

/s/ Amanda Beckett

Amanda Beckett

AL State Bar No. ASB-1884-N75B

Rubin Lublin, LLC

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Huntsville, AL 35801

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Attorney for Creditor

### **CERTIFICATE OF SERVICE**

I, Amanda Beckett of Rubin Lublin, LLC certify that on the 12th day of September, 2019, I caused a copy of the Objection to Confirmation to be filed in this proceeding by electronic means and to be served by depositing a copy of the same in the United States Mail in a properly addressed envelope with adequate postage thereon to the said parties as follows:

Louise McCullough  
1303 Elm St.  
Opelika, AL 36801

Charles M. Ingram, Jr., Esq.  
Ingram, Layson & Carr, LLC  
PO Box 229  
Opelika, AL 36803

Sabrina L. McKinney, Trustee  
P. O. Box 173  
Montgomery, AL 36101

Executed on: 9/12/19  
By: /s/ Amanda Beckett  
Amanda Beckett  
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